

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

HANS A. QUAACK, ATTILIO PO
and KARL LEIBINGER, on behalf of
themselves and those similarly situated,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware
Corporation, STONINGTON CAPITAL
APPRECIATION 1994 FUND L.P., a Delaware
Partnership and STONINGTON HOLDINGS,
L.L.C., a Delaware limited liability company,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN,
Trustees of the TRA Rights Trust,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER,
JKBAKER LLC and JMBAKER LLC,

Plaintiffs,

v.

DEXIA, S.A. and DEXIA BANK BELGIUM
(formerly known as ARTESIA BANKING
CORP., SA),

Defendants.

No.: 04-CV-10501 (PBS)

[PROPOSED] SECOND SCHEDULING ORDER

WHEREAS, on April 27, 2005 Judge Saris entered a Scheduling Order in *Baker v. Dexia, S.A.*, No. 04-10501, on May 18, 2005 Magistrate Judge Callings entered a Scheduling Order in *Quaak v. Dexia, S.A.*, No. 03-11566, and on June 2, 2005 Magistrate Judge Callings entered a Scheduling Order in *Stonington Partners, Inc. v. Dexia, S.A.*, No. 03-10411 and *Filler v. Dexia, S.A.*, No. 04-10477; and

WHEREAS, the current Scheduling Orders provide for the completion of merits discovery by February 28, 2005; and

WHEREAS, during the October 20, 2005 hearing in these actions, the parties represented to Magistrate Judge Callings that additional time will be needed to complete discovery; and

WHEREAS, at the October 20 hearing Magistrate Judge Callings instructed the parties to submit a joint motion to modify the existing pre-trial schedule if agreement could be reached as to such schedule; and

WHEREAS, parties have conferred and are in agreement as to the terms of the proposed pre-trial schedule;

For good cause shown, the parties' Joint Motion to Modify Scheduling Order is GRANTED and it is hereby ORDERED that the following schedule shall govern the pre-trial litigation in these actions:

1. On or before May 15, 2006, each party shall identify the experts on whom it intends to rely concerning any matter for which that party bears the burden of proof and shall produce each such expert's *curriculum vitae* and a short statement of the subject matter of the proposed expert testimony.
2. On or before May 29, 2006, each party shall identify the rebuttal experts on whom it intends to rely and shall produce each such expert's *curriculum vitae* and a short statement of the subject matter of the proposed expert testimony.
3. Merits discovery shall be completed by June 16, 2006.
4. Any motion for class certification shall be filed on or before June 30, 2006.
5. The parties shall serve expert reports concerning any matters for which they bear the burden of proof on or before July 11, 2006.
6. The parties shall serve rebuttal expert reports on or before August 15, 2006.
7. All expert depositions shall be completed on or before September 22, 2006.
8. Any motion for summary judgment shall be filed on or before October 13, 2006.
9. A final pre-trial conference shall be held on January 15, 2007, or as close to that date as the Court's calendar permits.

Any provision of the previously entered Scheduling Orders that is not modified by the terms of this Order shall remain in force.

December __, 2005

Robert B. Collings
United States Magistrate Judge

